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PATENT
266/230

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kiron M. Das

Serial No.: 09/512,515

Filed: February 24, 2000

For: IMMUNOASSAY METHOD FOR
THE DIAGNOSIS OF GASTRIC
INTESTINAL METAPLASMA
ASSOCIATED WITH GASTRIC
CARCINOMA

Group Art Unit: 1642

Examiner: B. Brumback

9/A
JW
3/18/01
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RESPONSE AND AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action mailed September 13, 2001, the time for responding thereto being on or before December 13, 2001. Concurrently with this response a two-month petition for extension of time is filed. If any additional fee is due, the Examiner is authorized to charge Lyon & Lyon Deposit Account No. 12-2475 for any additional fees necessitated by this filing.

SD-168504.3

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

February 5, 2002
Date of Deposit

Miyabi Grace
Name of Person Mailing Paper

Miyabi Grace
Signature of Person Mailing Paper

Claims 1-20 have been rejected. Claims 1-3, 6-7, 9-13, 16-17, and 19-20 have been amended. These amendments are fully supported by the specification as filed and add no new matter. It is to be noted that claims 1-20, as amended, are now directed toward detecting colonic type gastric intestinal metaplasia which is conceded to be enabled by the specification. Applicant, therefore believes the amended claims are allowable and respectfully request that a notice of allowance be issued.

AMENDMENT

In reply to the September 13, 2001 non-final Office Action, please amend the above-identified application as follows and consider the following remarks:

IN THE SPECIFICATION

On page 6, line 19 of the specification, please delete the paragraph that begins with "A deposit..." and ends with "...namely HB9397" and replace the deleted paragraph with the following replacement paragraph:

A deposit of the monoclonal antibody DAS-1 (previously called 7E₁₂H₁₂, IgM isotype) has been made in the American Type Culture Collection, 10801 University Blvd., Manassas, VA 20110-2209, and the deposited material has been accorded a specific accession number, namely HB9397.

Further, on page 21, line 8 of the specification, please delete the paragraph that begins with "Of the monoclonal..." and ends with "...ATCC#HB9397" and replace the deleted paragraph with the following replacement paragraph: